

1644  
JFDES/CD/dcm  
November 4, 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David M. Knight and Scott Siegel

Application No.: 10/043,432 Group Art Unit: 1644

Filed: January 10, 2002 Examiner: Phillip Gabel

Confirmation No.: 3288

For: METHODS OF TREATING CACHEXIA WITH CHIMERIC ANTI-TNF ANTIBODIES

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>11-4-04</u>	<u>Dave M Myers</u>
Date	Signature
<u>Dave M Myers</u>	
Typed or printed name of person signing certificate	

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Preliminary Amendment and Reply to Election of Species Requirement for filing in the above-identified application.

- [ ] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- [ ] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)	(COL. 2)	(COL. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL	11	MINUS * 20	0	X \$ 9 \$
INDEP				
	9	MINUS ** 9	0	X \$44 \$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				
			+ \$150 \$	+ \$300 \$

\* not fewer than 20

\*\* not fewer than 3

TOTAL = \$ 0TOTAL = \$ 0

-2-

Please charge Deposit Account No. 08-0380 for the following fees:

[ ]	Petition for [        ] month Extension of Time	\$ _____
[ ]	Amendment Fee	\$ _____
[ ]	Other Fees: _____ _____	\$ _____ \$ _____
		TOTAL: \$ <u>      0      </u>

A check is enclosed in payment of the following fees:

[ ]	Petition for [        ] month Extension of Time	\$ _____
[ ]	Amendment Fee	\$ _____
[ ]	Other Fees: _____ _____	\$ _____ \$ _____
		TOTAL: \$ <u>      0      </u>

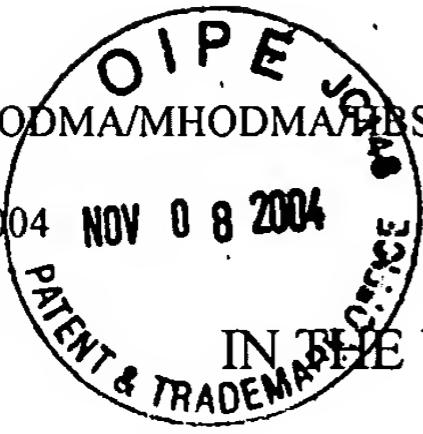
A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: November 4, 2004



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Applicant: Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David M. Knight and Scott Siegel

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Dave M Myers	
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PRELIMINARY AMENDMENT  
AND  
REPLY TO ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Preliminary Amendment and Reply to Election of Species Requirement is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on October 5, 2004 in the above-identified application.

Please amend the application as follows: